

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

**MEMORANDUM AND ORDER**

This matter is before the Court on defendant's motion to dismiss for failure to prosecute and to comply with the Court's orders.

On April 14, 2008, the Court entered an order directing plaintiff to show cause in writing why her claim against defendant should not be dismissed with prejudice for failing to comply with the pre-trial filing requirements set forth in the Case Management Order. Although the Court did receive a letter in response from plaintiff, the letter merely re-summarizes her claims against defendant and contains no explanation of why plaintiff failed to file the necessary documents. The trial of this action is scheduled to begin on April 28, 2008. Because plaintiff has not filed the required list of witnesses, list of documents, designation of discovery responses to be offered, or a pretrial brief, it is impossible for defendant to adequately prepare for trial.

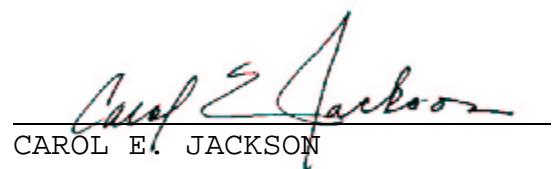
Based on plaintiff's failure to comply with the court orders and her continued failure to prosecute, all without just cause or

excuse, the Court concludes that plaintiff's claims should be dismissed.

Accordingly,

**IT IS HEREBY ORDERED** that defendant's motion to dismiss [#39] is granted.

A separate order of dismissal will issue this same date.



CAROL E. JACKSON  
UNITED STATES DISTRICT JUDGE

Dated this 23rd day of April, 2008.